



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
POSTAL SERVICE CENTER BOX 8003
CHERRY POINT, NORTH CAROLINA 28533-0003

5800
SJA

18 JAN 2022

AIR STATION ORDER 5800.2A

From: Commanding Officer, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: REPOSSESSION OF PERSONAL PROPERTY

Ref: (a) 32 C.F.R. § 720.25

1. Situation. To set forth instructions under which creditors may repossess personal property aboard Marine Corps Air Station Cherry Point (MCAS CHERPT) in accordance with the reference.

2. Cancellation. ASO 5800.2

3. Mission. Repossession of personal property located aboard MCAS CHERPT will be permitted only when there has been compliance with the procedures contained within this Order.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To provide an orderly procedure by which secured creditors may regain possession of their property from military personnel (or any dependent residing on MCAS CHERPT or located on MCAS CHERPT) who fail to pay their just debts in a timely and proper manner. In the case of property owned by civilian employees of the Department of the Navy or civilian contractors or their employees or dependents, the commanding officer will direct that the disputed property be removed from the installation until the commanding officer is satisfied that the dispute is resolved.

(2) Concept of Operations

(a) Court Ordered Repossessions

1. Civilian law enforcement officials authorized by applicable state law will be permitted, upon proper request, to enter MCAS CHERPT to serve process for the purpose of execution and levy on personal property.

2. Court orders of repossession (writs of possession, and Claim and Delivery) will be served on the individual in the same manner as other civil processes.

3. Military police will accompany civilian law enforcement personnel when property is repossessed.

(b) Voluntary Repossession

1. Secured creditors and/or their agents may enter MCAS CHERPT for the purpose of effecting a voluntary repossession of collateral only if, after default (failure to comply with the debt instrument - contract, promissory note, etc.), the debtor has given the creditor written permission to communicate information

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regarding the debt to third persons and subject to strict compliance with the following paragraphs.

2. Creditors who have received authorization to contact third parties in accordance with applicable state law and the preceding paragraph and who wish to effect voluntary repossession of secured property will notify the Staff Judge Advocate at MCAS CHERPT in writing, enclosing an original authorization from the debtor. The Civil Law Officer will in turn contact the individual in possession of the property to inform that person of the receipt of a creditor's request.

3. The individual whose property is subject to repossession will be offered an opportunity to consult with counsel (at the MCAS CHERPT Legal Assistance Office or via legal representation at the servicemember's expense) concerning the consequences of voluntary repossession.

4. Unless the individual agrees to voluntary repossession, the person seeking repossession will be advised in writing that repossession will not be permitted without a court order in accordance with applicable state law and paragraph 4.(2)(a).

b. Coordinating Instructions

(1) Self-help repossessions of property located aboard MCAS CHERPT are strictly prohibited.

(2) The owner of property being repossessed will be afforded the opportunity to remove personal property not the subject of the repossession action from the property that is being repossessed.

(3) A knowing violation of the above-described repossession policy may result in appropriate administrative and/or criminal action.

5. Administration and Logistics. This order also applies to any MCAS CHERPT tenant command personnel. The Staff Judge Advocate Office, MCAS CHERPT, is the point of contact for any compliance questions.

6. Command and Signal

a. Signal. This Order is effective the date signed.

b. Command. This Order is applicable to the Marine Corps Reserve.


M. R. HUBER

DISTRIBUTION: A